

**REMARKS**

Claims 1-21 are pending. Claims 10-21 have been amended. The Abstract has been replaced with a new abstract. No new matter is presented.

Claims 1, 2, 5, 11-14 and 19-21 stand rejected under 35 USC 103(a) as being unpatentable over Shiomoto (U.S. Patent No. 6,731,628) in view of Rao (U.S. Patent No. 6,757,823). This rejection is respectfully traversed.

With respect to claim 1, for example, the Examiner asserts that Shiomoto teaches all of the claimed features except communications system setup and/or disconnect of communications link. The Examiner asserts that Rao teaches this feature. Applicants respectfully submit that Rao fails to teach or suggest that which the Examiner asserts and that even if Rao did teach that which the Examiner asserts, one of ordinary skill in the art would not have been motivated to have modified Shiomoto in view of Rao to create the claimed invention.

Claim 1 recites “controlling the setup and/or clear-down of the communications link by a central control device via a control network.” The Examiner asserts that Rao teaches this feature. However, applicants respectfully disagree.

Rao teaches an H.323 gateway for network interfacing between an IP packet data network and a circuit switched network (col. 2, lines 47-52). Rao explains that this gateway is a node that connects two otherwise incompatible networks (col. 2, lines 53-54). The gateway of Rao does not correspond to the claimed central control device.

Further, even if we assume *arguendo* that Rao teaches this feature, applicants submit that one of ordinary skill in the art would not have been motivated to modify Shiomoto in view of Rao because Rao teaches a setup method for secure communications. This requires steps beyond simple setup steps, which leads to overhead. Shiomoto itself teaches that such overhead is undesirable (see Background of the Invention). In fact, the entire purpose of Shiomoto is to eliminate the need for a

central control device. Thus, one of ordinary skill in the art would not have been motivated to modify Shiomoto in view of Rao to create the claimed invention.

Still further, the Examiner's stated motivation for combining these references is conclusory and not supported by the evidence of record. The Examiner merely states that it would have been desirable to have incorporated the teaches of Rao with Shiomoto "so as to provide a [sic] simplified and secure call setup and tear down procedure for voice and data communications amongst different devices with an IP telephony network." The Examiner has failed to show how Rao's method of setting up and tearing down calls is more simple than Shiomoto's method. Thus, the Examiner has failed to set forth a *prima facie* case of obviousness and should withdraw this rejection.

Claim 10 is allowable for the same reasons claim 1 is allowable. The remaining claims are allowable at least due to their respective dependencies. Applicants request that this rejection be withdrawn.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 449122025400.

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